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EXAMINER

MIRZADEGAN, SAEED S

ART UNIT	PAPER NUMBER
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2109

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/18/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/667,873

Applicant(s)

BOWERS ET AL.

Examiner

Saeed S. Mirzadegan

Art Unit

2109

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☒ Claim(s) 1-3, 8, 11 & 12 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 September 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION***Drawings***

1. The drawings are objected to because, Fig. 4, item "403" does not depict the "Block Header" as stated on [0022] Line 4, Page 5 of the specification. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

2. **Claim 1** is objected to because of the following informalities: Claim 1, line 4, should read, "a plurality of said conferencing stations, where each of said plurality of conferencing station" not "a plurality of conferencing stations, where each conferencing station".

Appropriate correction is required.

3. **Claim 1** is objected to because of the following informalities: Claim 1, lines 17-18, should read, "an audio mixer module for receiving at least one of said compressed audio stream from one of said conferencing station as relayed by" not "an audio mixer module for receiving at least one compressed audio stream from a conferencing station as relayed by".

Appropriate correction is required.

4. **Claim 2** is objected to because of the following informalities: Claim 2, line 2, should read, "of each station receives, decompresses, and mixes a plurality of said compressed audio" not "of each station receives, decompresses, and mixes a plurality of compressed audio".

Appropriate correction is required.

Art Unit: 2109

5. **Claim 3** is objected to because of the following informalities: Claim 3, line 1, should read, "The conferencing system of claim 2, wherein at least one of said" not "The conferencing system of claim 2, wherein at least one said".

Appropriate correction is required.

6. **Claim 8** is objected to because of the following informalities: Claim 8, line 8, should read, "an audio compression module for receiving audio from the audio capture circuitry" not "an audio compression module audio from the audio capture circuitry".

Appropriate correction is required.

7. **Claim 11** is objected to because of the following informalities: Claim 11, line 3, should read, "an audio compression module for receiving audio from audio capture" not "an audio compression modules for receiving audio from audio capture".

Appropriate correction is required.

8. **Claim 11** is objected to because of the following informalities: Claim 11, line 6, should read, "an audio mixer module for receiving a composite compressed audio stream" not "an audio mixer module for receiving a composite compressed audio streams".

Appropriate correction is required.

Art Unit: 2109

9. **Claim 11** is objected to because of the following informalities: Claim 11, line 7, should read, "through the network interface apparatus from said server, for selecting" not "through the network interface apparatus from a server, for selecting".

Appropriate correction is required.

10. **Claim 11** is objected to because of the following informalities: Claim 11, line 9, should read, "mixing the selected audio streams, and for providing the mixed audio to the audio" not "mixing the selected audio streams, and for providing audio to the audio".

Appropriate correction is required.

1. **Claim 12** is objected to because of the following informalities: Claim 12, line 5, should read, "at the server, combining the compressed audio streams from the plurality of" not "at the server, combining the compressed audio streams from a plurality of".

Appropriate correction is required.

2. **Claim 12** is objected to because of the following informalities: Claim 12, line 9, should read, "at at least one of said conferencing stations, decompressing and mixing a plurality of" not "at at least one conferencing station, decompressing and mixing a plurality of".

Appropriate correction is required.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. **Claim 11** is rejected under 35 U.S.C. 101 because The Claimed Invention is directed to a judicial exception to 35 U.S.C. 101 (Natural Phenomenon) and is not directed to a practical application of such judicial exception because the invention as claimed does not produce a tangible result as set forth in MPEP 2106.

4. Page 7, [0031] Line 1, states, "a computer program product is any machine-readable media, such as an EPROM, ROM, RAM, DRAM, Disk memory, or tape ".

As it is written, other machine-readable media besides examples are being claimed.

5. In order for software claims to be statutory, they must be claimed in combination with an appropriate medium and/or hardware to establish statutory category of invention and enable any functionality to be realized as set forth in MPEP 2106.01.

Software, per se:

The claims lack the necessary physical articles or objects to constitute a machine or a manufacture within the meaning of 35 USC 101. They are clearly not a series of steps or acts to be a process nor are they a combination of chemical compounds to be a

Art Unit: 2109

composition of matter. As such, they fail to fall within a statutory category. They are, at best, functional descriptive material per se.

Descriptive material can be characterized as either "functional descriptive material" or "nonfunctional descriptive material." Both types of "descriptive material" are nonstatutory when claimed as descriptive material per se, 33 F.3d at 1360, 31 USPQ2d at 1759. When functional descriptive material is recorded on some computer-readable medium, it becomes structurally and functionally interrelated to the medium and will be statutory in most cases since use of technology permits the function of the descriptive material to be realized. Compare *In re Lowry*, 32 F.3d 1579, 1583-84, 32 USPQ2d 1031, 1035 (Fed. Cir. 1994)

Merely claiming nonfunctional descriptive material, i.e., abstract ideas, stored on a computer-readable medium, in a computer, or on an electromagnetic carrier signal, does not make it statutory. See *Diehr*, 450 U.S. at 185-86, 209 USPQ at 8 (noting that the claims for an algorithm in *Benson* were unpatentable as abstract ideas because "the sole practical application of the algorithm was in connection with the programming of a general purpose computer.").

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. **Claims 1, 2, 8, 11& 12** are rejected under 35 U.S.C. 102(b) as being anticipated by Kozdon et al. (US Patent NO. 6240070B1 here after "Kozdon et al.").

7. Regarding **Claim 1** Kozdon et al. disclose, A conferencing system (**col.2, line 67 & Fig 2, 100**) comprising: a server (**col.3, line 1 & Fig 2, 102**) for relaying compressed audio streams received by the server (**col.3, line 4-5 & Fig 2, 108**) from conferencing stations (**col.3, line 1-2 & Fig 2, clients 103-105**) to conferencing stations (**col.3, line 1-2 & Fig 2, clients 103-105**) of the system (**col.2, line 67 & Fig 2, 100**); and a plurality of conferencing stations (**col.3, line 1-2 & Fig 2, clients 103-105**), where each conferencing station comprises: a processor (**col.6, line 19-23, personal computer contains a processor**), a microphone (**col. 6, line 8, Fig 4, 312**) coupled through audio capture circuitry (**col. 6, line 10, microphone interface, Fig 4, 314**) to the processor , a network interface apparatus (**col. 6, lines 16-19, Fig 4, 300 & 318**) coupled to the processor, audio output apparatus (**col. 6, line 5, Fig 2, 312**), memory coupled to the processor (**col.6, line 19-23, personal computer contains memory**), the memory having stored therein program modules comprising: an audio compression module (**col. 6, line 9, Fig 4, 316**) for receiving audio from the audio capture circuitry (**col. 6, lines 8-9, Fig 4, 314**), compressing (**col. 6, lines 12-13**) the received audio into compressed audio (**col. 6, line 14**) and for transmitting the compressed audio through the network interface apparatus as a compressed audio stream, and an audio mixer module (**col. 5, lines 57-58, Fig 4, 302, decompressor**) for receiving at least one compressed audio

Art Unit: 2109

stream from a conferencing station as relayed by the server through the network interface apparatus, for decompressing (**col. 5, lines 58-59**) and mixing (**col. 5, lines 8-9, Fig 4, 304**) the at least one compressed audio stream into mixed audio, and for providing the mixed audio to the audio output apparatus (**col. 6, lines 5 & Fig 4, 310**).

8. Regarding **Claim 2**, Kozdon et al. disclose, the conferencing system of claim 1, wherein the audio mixer module of each station receives, decompresses, and mixes a plurality of compressed audio streams relayed through the server (**col.3, line 1 & Fig 2, 102**).

9. Regarding **Claim 8** Kozdon et al. disclose, A conferencing station (**col.3, line 1-2 & Fig 2, clients 103-105**) comprising a processor (**col.6, line 19-23, personal computer contains a processor**), a microphone (**col. 6, line 8, Fig 4, 312**) coupled through audio capture circuitry (**col. 6, line 10 microphone interface, Fig 4, 314**) to the processor, a network interface apparatus (**col. 6, lines 16-19, Fig 4, 300 & 318**) coupled to the processor, audio output apparatus (**col. 6, line 5, Fig 2, 312**), memory coupled to the processor (**col.6, line 19-23, personal computer contains memory**), the memory having recorded therein program modules comprising: an audio compression module (**col. 6, line 9, Fig 4, 316**) -- for receiving -- audio from the audio capture circuitry (**col. 6, line 10, microphone interface, Fig 4, 314**) and for transmitting compressed audio through the network interface apparatus (**col. 6, lines 16-19, Fig 4, 300 & 318**); and an audio mixer module (**col. 5, lines 57-58, Fig 4, 302**,

Art Unit: 2109

decompressor) for receiving compressed audio streams through the network interface apparatus (**col. 6, lines 16-19, Fig 4, 300 & 318**) from a plurality of conferencing stations (**col.3, line 1-2 & Fig 2, clients 103-105**), for decompressing (**col. 5, lines 58-59**) and mixing (**col. 5, lines 8-9, Fig 4, 304**) the audio streams into mixed audio, and for providing the mixed audio to the audio output apparatus (**col. 6, lines 5 & Fig 4, 310**).

10. Regarding **Claim 11** Kozdon et al. disclose, A computer software product comprising a machine readable media having recorded thereon machine readable code for: an audio compression modules (**col. 6, line 9, Fig 4, 316**) for receiving audio from audio capture circuitry (**col. 6, line 10, microphone interface, Fig 4, 314**), compressing the audio (**col. 6, lines 12-13**), and for transmitting compressed audio through network interface apparatus (**col. 6, lines 16-19, Fig 4, 300 & 318**) to a server (**col.3, line 1 & Fig 2, 102**); and an audio mixer module (**col. 5, lines 57-58, Fig 4, 302, decompressor)** for receiving a composite compressed audio streams through the network interface apparatus (**col. 6, lines 16-19, Fig 4, 300 & 318**) from a server (**col.3, line 1 & Fig 2, 102**), for selecting audio streams from the composite audio stream, for decompressing and mixing (**col. 5, lines 8-9, Fig 4, 304**) the selected audio streams, and for providing audio to the audio output apparatus (**col. 6, lines 5 & Fig 4, 310**).

11. Regarding **Claim 12** Kozdon et al. disclose, A method of conferencing comprising the steps of: at each of a plurality of conferencing stations (**col.3, line 1-2 &**

Art Unit: 2109

Fig 2, clients 103-105), compressing audio into compressed audio (col. 6, lines 12-13), and for transmitting compressed audio through network interface apparatus (col. 6, lines 16-19, Fig 4, 300 & 318) to a server (col.3, line 1 & Fig 2, 102); at the server (col.3, line 1 & Fig 2, 102), combining the compressed audio streams from a plurality of conferencing stations (col.3, line 1-2 & Fig 2, clients 103-105) into a composite stream (col. 5, line 45-46 summation stream); distributing the composite stream over a network to the plurality of conferencing stations (col. 5, lines 46-51); at at least one conferencing station, decompressing and mixing a plurality of audio streams of the composite stream into a reconstructed audio stream (col. 5, lines 57-58, Fig 4, 302, decompressor) ; and driving speakers with the reconstructed audio stream (col. 6, lines 5 & Fig 4, 310).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.

Art Unit: 2109

3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

12. **Claims 3, 10** are rejected under 35 U.S.C. 103(a) as being unpatentable over Kozdon et al. as applied to claims 2 & 8 above, and in view of Kuthyar et al. (US Patent No. 6075571, hereafter referred to as "Kuthyar et al.").

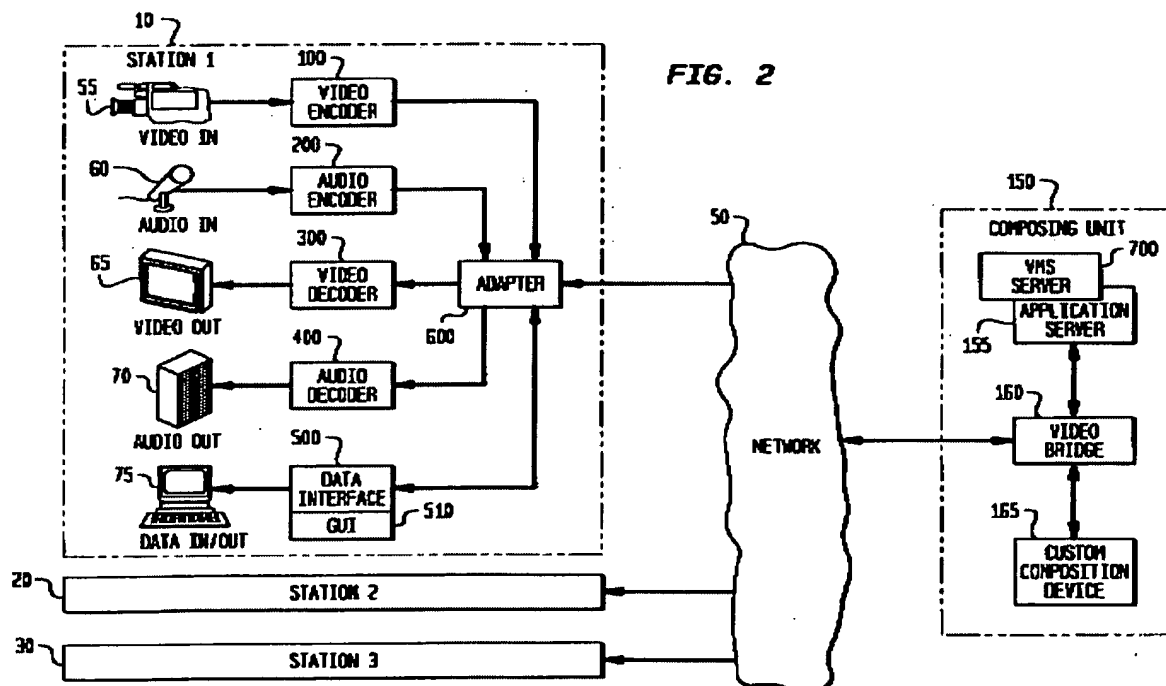
13. Regarding **Claims 3& 10**, Kozdon et al. disclose the conferencing system of claim 2 & 8.

14. Kozdon et al. does not disclose, at least one conferencing station further comprises: a video source, a compression module in the memory for receiving video from the video source, for compressing the video into a first video stream, and for transmitting the first video stream to the server, a video decompression module for receiving a second video stream, decompressing the second video stream into images, and a display subsystem for presenting the images to a user.

15. In the same field of endeavor, Kuthyar et al. teach, (**col. 5, lines 26-28 and Fig 2**, as shown in FIG. 2, the typical inpoint telecommunications facility architecture of any station 1-n, is a video recording device 55 (**video source**) coupled to a video encoder 100 (**video compression module**)); (**col. 5, lines 30-44 and Fig 2**, a video output device hereafter called a screen 65 (**display subsystem**) connected to a video decoder 300 (**video decompression module**), a data processing unit 75 for data input and

Art Unit: 2109

output connected to a data interface 500 and a Graphical User Interface (GUI) 510, the former involved in data manipulation and the latter controlling screen image composition. Each of the encoders, decoders and interfaces are, in turn, coupled to an adapter card or an adapter board 600, as shown in block 10 of FIG. 2. Adapter 600, which can be a circuit board or card for installation in a computer or server (not shown), serves to multiplex and de-multiplex all of the individual signals onto a communication line or transport medium 40 (transmitting the video stream to the server)).



16. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to combine Kozdon et al. and Kuthyar et al. to fully illustrate the architecture of the audio/video conferencing workstation of an audio/video conferencing

Art Unit: 2109

system. Kozdon et al. had mentioned audio/video/data but only illustrated the audio portion of an audio/video/data conferencing system.

17. **Claims 4** is rejected under 35 U.S.C. 103(a) as being unpatentable over Kozdon et al. as applied to claims 2 above, and in view of Everett (US Patent No. 5864816, hereafter referred to as "Everett").

18. Regarding **Claim 4** Kozdon et al. disclose the system of claim 2, wherein the server comprises a relay module for receiving audio streams from the conferencing stations, for combining the received audio streams into a composite audio stream, and for retransmitting the composite audio stream to the conferencing stations (**col.3, line 1-2 & Fig 2, clients 103-105**).

19. Regarding **Claim 4** Kozdon et al. does not teach; the composite audio stream is created without decompressing the received audio streams.

20. In the same field of endeavor, Everett teaches, (**col. 2, lines 13-19 & col. 4, lines 36-54 & Fig 2. & col. 6, lines 28-35** mixing two or more compressed digitized audio signals (**Composite audio streams**) without decompressing them).

21. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to combine Kozdon et al. and Everett to increase the number of

Art Unit: 2109

streams to be mixed simultaneously, and to reduce the CPU over head & total bandwidth requirement.

22. **Claim 5** is rejected under 35 U.S.C. 103(a) as being unpatentable over Kozdon et al. and Everett as applied to claim 4 above, and in view of Memhard et al. (US Patent No. 6201859B1, hereafter referred to as "Memhard et al.").

23. Regarding **Claim 5** Kozdon et al. and Everett disclose the conferencing system of claim 4.

24. Regarding **Claim 5** Kozdon et al. and Everett do not teach the conferencing system of claim 4 wherein the relay module selects a maximum number of received audio streams for retransmission according to a priority scheme incorporating a predetermined conferencing station priority.

25. In the same field of endeavor, Memhard et al. teach, (**col. 9, lines 9-14** "Chaired" control, where the audio streams are selected by the "chairperson" who has station priority over other stations).

26. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to combine Kozdon et al. and Everett with Memhard et al. to prevent contention between conferencing stations by giving priority to certain stations

and to limit the maximum number of users based on the available bandwidth to reduce bandwidth saturation of the channel.

27. **Claim 6** is rejected under 35 U.S.C. 103(a) as being unpatentable over Kozdon et al. and Everett as applied to claim 4 above, and in view of Robert et al. (US Patent No. 6327276B1, hereafter referred to as "Robert et al.").

28. Regarding **Claim 6** Kozdon et al. and Everett disclose the conferencing system of claim 4, wherein a first said conferencing station receives the composite audio stream, decompresses selected audio streams from individual compressed audio streams of the composite audio stream.

29. Regarding **Claim 6** Kozdon et al. and Everett do not teach the conferencing system of claim 4, wherein the selected audio streams determined such that audio from the first said conferencing station relayed through the server is discarded by the first conferencing station.

30. In the same field of endeavor, Robert et al. teach, (**col. 6, lines 52-65** once the composite audio stream is received in a particular client, that client will perform echo cancellation to substantially eliminate its own component of the composite signal).

Art Unit: 2109

31. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to combine Kozdon et al. and Everett with Robert et al. to enhance the quality of the audio on the conferencing station by eliminate the echo generated by conferencing station and the conferencing system as taught by Robert et al.

32. **Claims 7** is rejected under 35 U.S.C. 103(a) as being unpatentable over Kozdon et al. as applied to claims 2 above, and in view of Kilgore (US Patent No. 6961324B2, hereafter referred to as "Kilgore").

33. Regarding **Claim 7** Kozdon et al. discloses the system of claim 2, wherein the server comprises a relay module for receiving audio streams from the conferencing stations, for combining the received audio streams into a composite audio stream, and for retransmitting the composite audio stream to the conferencing stations.

34. Regarding **Claim 7** Kozdon et al does not teach the system of claim 2, wherein the composite audio stream is created by interleaving compressed audio from packets of the received audio streams.

35. In the same field of endeavor, Kilgore teaches, (**col. 1, lines 54-67 & col. 2, lines 1-7 Interleaving compressed audio streams**).

Art Unit: 2109

36. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to combine Kozdon et al. and Kilgore to reduce the interval in which no data is available for playback since interleaving improves the quality of the output by reducing the interference and distortion which are the affects of streaming compressed audio and video signals.

37. **Claims 9** is rejected under 35 U.S.C. 103(a) as being unpatentable over Kozdon et al. as applied to claims 8 above, and in view of Robert et al.

38. Regarding **Claim 9** Kozdon et al. discloses the conferencing station of claim 8, wherein the audio mixer module receives the compressed audio streams as a composite audio stream from the server, and wherein the conferencing station decompresses selected audio streams.

39. Regarding **Claim 9** Kozdon et al does not teach the system of claim 8, wherein the selected audio streams being selected from compressed audio streams of the composite audio stream selected such that audio from the first said conferencing station relayed through the server is not decompressed by the first conferencing station.

40. In the same field of endeavor, Robert et al. teach, (**col. 6, lines 52-65** once the composite audio stream is received in a particular client, that client will perform echo cancellation to substantially eliminate its own component of the composite signal).

41. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to combine Kozdon et al. and Kilgore to eliminate the echo (signal from the same station), since echo is a by product caused by the delay created in the conferencing systems due to compression and decompression as well as signal transfer between the stations and the server which effects the quality of conference for the participants.

42. **Claims 13** is rejected under 35 U.S.C. 103(a) as being unpatentable over Kozdon et al. in view of Coupe et al. (US PG Pub No. 2002/0064189A1, hereafter referred to as "Coupe et al.").

43. Regarding Claim 13 Kozdon et al. discloses A method of generating a composite compressed audio stream for use in a conferencing system comprising the steps of: receiving a plurality of compressed incoming audio streams at a server, where each compressed audio stream comprises a sequence of blocks of compressed audio data; copying blocks of compressed audio data from a plurality of the compressed incoming audio streams into the composite audio stream.

44. Regarding **Claim 13** Kozdon et al does not teach; inserting routing information into the composite audio stream; and inserting identification information into the

Art Unit: 2109

composite audio stream, the identification information comprising a count of audio streams present in the composite audio stream.

45. In the same field of endeavor, Coupe et al. teach, ([0008] lines 9-13 & [0017] lines 1-9 Packet Identifier and routing information).

46. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to combine Kozdon et al. and Coupe et al. to insure the proper delivery of the composite audio stream to the proper recipient as well as facilitating the handling of the composite audio stream once received at the destination.

47. **Claims 14** is rejected under 35 U.S.C. 103(a) as being unpatentable over Kozdon et al. and Coupe et al. in view of Memhard et al.

48. Regarding **Claim 13** Kozdon et al. and Coupe et al. disclose the method of claim 13, wherein blocks of compressed audio data are selected for copying into the composite audio stream.

49. Regarding **Claim 13** Kozdon et al and Coupe et al. do not teach; selection according to a priority scheme such that compressed audio blocks of incoming audio streams associated with conference moderators have priority for copying into the

Art Unit: 2109

composite audio stream over compressed audio blocks of other incoming audio streams.

50. In the same field of endeavor, Memhard et al. teach, ([0008] lines 9-13 & [0017] lines 1-9 Packet Identifier and routing information).

51. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to combine Kozdon et al. and Coupe et al. to insure the proper delivery of the composite audio stream to the proper recipient as well as facilitating the handling of the composite audio stream once received at the destination (col. 9, lines 9-14 "Chaired" control, where the audio streams are selected by the "chairperson" who has station priority over other stations).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Chung et al. (US PG Pub No. 2002/0078153A1) teach Providing secure, instantaneous, directory-integrated, multiparty, communications services, Shimomura et al. (US Patent No. 6473858B1) teach Method and apparatus for broadcasting data with access control, Kovacevic (US PG Pub No. 2002/0128823A1) teaches System and method for reception, processing and transmission of digital audio stream, Firestone et al. (US Patent No. 6989856B2) teach System and method for performing distributed video conferencing.

Art Unit: 2109

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Saeed S. Mirzadegan whose telephone number is 571-270-3044. The examiner can normally be reached on M-F 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Assouad can be reached on 571-272-2210. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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